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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dale E. Gulick

Geoffrey S. Strongin

Serial No.: 09/853,443

Filed: May 11, 2001

For: PROTECTION MECHANISM FOR
BIOMETRIC INPUT DATA

Group Art Unit: 2131

Examiner: B. Lanier

Atty. Dkt. No.: 2000.039600

Customer No. 023720

REPLY BRIEF

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

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Kathy Noras

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Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appellant hereby submits this Reply Brief to the Board of Patent Appeals and Interferences in response to the Examiner's Answer mailed March 22, 2006. No fee is believed due for the filing of this Reply Brief. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Williams, Morgan & Amerson's P.C. Deposit Account No. 50-0786/2000.039600.

In the Answer, the Examiner repeated the rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103 set forth in the final rejection in this application. It is believed that the reasons that those rejections are improper are expressly set forth in the Appeal Brief filed in this matter. The Examiner also included new rejections of claims 3, 5-6, 13, 18-19, 27, 33-34, 37, 48-49, 63-64, 67, and 74. The Examiner noted that Appellants must either elect to reopen prosecution or to maintain the present appeal.

Appellants elect to maintain the present appeal. Furthermore, Appellants note that claims 3, 5-6, 13, 18-19, 27, 33-34, 37, 48-49, 63-64, 67, and 74 depend from previously rejected independent claims. Accordingly, Appellants respectfully submit that claims 3, 5-6, 13, 18-19, 27, 33-34, 37, 48-49, 63-64, 67, and 74 are allowable over the prior art of record for at least the reasons set forth in the Appeal Brief filed in this matter.

In view of the foregoing, it is respectfully submitted that the Examiner erred in rejecting the claims pending in the present application. Accordingly, Applicants respectfully request that the Board overrule the Examiner's decision and issue instructions that all pending claims be allowed.

Respectfully submitted,

Date: 5/8/06



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